

1 **SAO**

2 **JEFFERY A. BENDAVID, ESQ.**

3 Nevada Bar No. 6220

4 j.bendavid@moranlawfirm.com

5 **STEPHANIE J. SMITH, ESQ.**

6 Nevada Bar No. 11280

7 s.smith@moranlawfirm.com

8 **MORAN BRANDON BENDAVID MORAN**

9 630 South 4<sup>th</sup> Street

10 Las Vegas, Nevada 89101

11 Phone (702) 384-8424

12 **CHRISTINE MAGARIAN, ESQ.**

13 CA State Bar No. 198762 (*Pro Hac Vice Pending*)

14 cmagarian@kdvlaw.com

15 **KAUFMAN DOLOWICH VOLUCK LLP**

16 11755 Wilshire Boulevard Suite 2400

17 Los Angeles, California 90025

18 Telephone: (310) 775-6511

19 *Attorneys for Defendant LEXINGTON INSURANCE COMPANY*

20 *and Third Party Defendant NEW HAMPSHIRE INSURANCE COMPANY*

21 **UNITED STATES DISTRICT COURT**  
22 **DISTRICT OF NEVADA**

23 CENTEX HOMES, a Nevada General  
24 Partnership,

25 Plaintiffs,

26 vs.

27 ST. PAUL FIRE AND MARINE  
28 INSURANCE COMPANY, a Connecticut  
corporation; EVEREST NATIONAL  
INSURANCE COMPANY, a Delaware  
corporation; INTERSTATE FIRE &  
CASUALTY COMPANY, an Illinois  
corporation; LEXINGTON INSURANCE  
COMPANY, a Delaware corporation;  
FEDERAL INSURANCE COMPANY,  
an Indiana corporation,

Defendants.

CASE NO.: 2:17-CV-02407-JAD-VCF

**STIPULATION AND ORDER TO  
CONTINUE HEARING SET FOR  
APRIL 8, 2019**



**MORAN BRANDON  
BENDAVID MORAN**  
ATTORNEYS AT LAW

630 SOUTH 4TH STREET  
LAS VEGAS, NEVADA 89101

PHONE: (702) 384-8424

FAX: (702) 384-6568

1 ST. PAUL FIRE AND MARINE  
2 INSURANCE COMPANY,

3 Third Party Plaintiff,  
4 vs.

5 UNDERWRITERS AT LLOYDS  
6 LONDON; PROBUILDERS  
7 SPECIALTY INSURANCE  
8 COMPANY, RRG; NEW HAMPSHIRE  
9 INSURANCE COMPANY; FIRST  
10 SPECIALTY INSURANCE  
11 COMPANY; ARCH SPECIALTY  
12 INSURANCE COMPANY;  
13 IRONSHORE SPECIALTY  
14 INSURANCE COMPANY; ROCKHILL  
15 INSURANCE COMPANY; and  
16 FIREMAN'S FUND INSURANCE  
17 COMPANY,

18 Third Party Defendants.

19 EVEREST NATIONAL INSURANCE  
20 COMPANY,

21 Cross-Claimant,  
22 v.

23 INTERSTATE FIRE & CASUALTY  
24 COMPANY; LEXINGTON  
25 INSURANCE COMPANY,

26 Cross-Defendants.

27 COMES NOW, Centex Homes ("Centex") and Lexington Insurance Company  
28 ("Lexington")(collectively, "Parties") and hereby submit the following stipulation for  
consideration by the Court. Whereas Centex brought a Motion to Compel Discovery  
Responses from Lexington Insurance Company and Request for Fees Pursuant to FRCP 37,  
which was heard by this Court on March 20, 2019. Whereas the Court continued the  
hearing on Centex's Motion to April 8, 2019 at 11:00 a.m. Lexington is bringing in new



MORAN BRANDON  
BENDAVID MORAN  
ATTORNEYS AT LAW

630 SOUTH 4TH STREET  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 384-8424  
FAX: (702) 384-6568

1 counsel who needs time to review the matter and get up to speed on the outstanding  
2 disputed discovery and the status of the case. As such, the Parties hereby stipulate and  
3 respectfully request that the hearing set for April 8, 2019 be briefly continued to April 11 or  
4 April 12, 2019 at the Court's convenience.  
5  
6  
7  
8

9 **MORAN BRANDON**  
10 **BENDAVID MORAN**

**PAYNE & FEARS**

11 /s/ Jeffery A. Bendavid, Esq.

**JEFFERY A. BENDAVID, ESQ.**

Nevada Bar No. 6220

**STEPHANIE J. SMITH, ESQ.**

Nevada Bar No. 11280

630 South 4th Street

Las Vegas, Nevada 89101

(702) 384-8424

12 /s/ Sarah J. Odia, Esq.

**SCOTT S. THOMAS, ESQ.**

Nevada Bar No. 7937

**SARAH J. ODIA, ESQ.**

Nevada Bar No. 11053

6385 S. Rainbow Blvd., Suite 220

Las Vegas, Nevada, 89118

(702) 851-0300

16 *Attorneys for Defendant Lexington*  
17 *Insurance Company and Third Party*  
18 *Defendant New Hampshire Insurance*  
19 *Company*

*Attorneys for Centex Homes*

20 IT IS SO ORDERED that the hearing on Centex Homes' Motion to Compel  
21 Discovery Responses from Lexington Insurance Company and Request for Fees  
22 pursuant to FRCP 37 is hereby moved to the 19th day of April, 2019, at  
23 10:00 a.m., in Courtroom 3D.

24 Dated this 5th, day of April, 2019

25  
26   
27 UNITED STATES MAGISTRATE JUDGE  
28

4818-5488-9363.1



**MORAN BRANDON**  
**BENDAVID MORAN**  
ATTORNEYS AT LAW

630 SOUTH 4TH STREET  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 384-8424  
FAX: (702) 384-6568